

CHAPTER NO. 63

HOUSE BILL NO. 1010

By Representatives Newton, Matheny, Gresham, Bone

Substituted for: Senate Bill No. 365

By Senator Miller

AN ACT to amend Tennessee Code Annotated, Title 5, Chapter 7; Title 6, Chapter 54 and Title 13, relative to regulation of radio antennas.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 6, Chapter 54, Part 1, is amended by adding the following language as a new section:

6-54-130.

(a) A municipality, including a city and lesser incorporated area, or a county may not enact or enforce an ordinance that does not comply with the ruling of the federal communications commission in "Amateur Radio Preemption, 101 FCC 2nd 952 (1985)" or a regulation related to amateur radio service adopted under 47 C.F.R. Part 97.

(b) If a municipality adopts an ordinance involving the placement, screening or height of an amateur antenna based on health, safety or aesthetic conditions, the ordinance shall:

(1) Reasonably accommodate amateur radio communications;
and

(2) Represent the minimal practicable regulation to accomplish the municipality's or county's purpose.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 14, 2003



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 29th day of April 2003



PHIL BREDESEN, GOVERNOR